

EXHIBIT B

IN THE UNITED STATES CIVILIAN BOARD OF CONTRACT APPEALS

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)	
Mission Support Alliance, LLC,)	
<i>Appellant,</i>)	
v.)	
)	CBCA No. 5095
United States Department of Energy)	(Judge Somers)
<i>Respondent.</i>)	
)	
)	
)	

JOINT STATUS REPORT

Pursuant to the Board’s Conference Memorandum and Order, dated February 12, 2019, appellant, Mission Support Alliance, LLC (“MSA”), and respondent, the U.S. Department of Energy (“DOE”), respectfully submit this joint status report.

As indicated in the parties’ previous joint status reports, this appeal involves a contract under which MSA provided information technology services in support of environmental cleanup activities at DOE’s Hanford Site in Washington State. This appeal has been stayed since September 23, 2016 in favor of a False Claims Act investigation conducted by the United States Attorney’s Office for the Eastern District of Washington, as described in the parties’ previous joint status reports.

On February 8, 2019, the U.S. Department of Justice filed a civil complaint against MSA, Lockheed Martin Corp., Lockheed Martin Services Inc., and Jorge Francisco Armijo in the Eastern District of Washington alleging violations of the False Claims Act, Anti-Kickback Act, and common law theories of liability (the “FCA Action”). The Department of Justice’s claims in that complaint concern the same contract for information technology services at issue in this appeal. Many of the documents and witnesses that will be subject to discovery in this action will

also be subject to discovery in the FCA Action. Accordingly, to avoid duplicative discovery and allow for the efficient resolution of both proceedings, the parties jointly request that the Board extend the stay of these proceedings pursuant to Rule 12(a) until resolution of the FCA Action. However, the parties agree that either party may move to dissolve the stay at any time during discovery or before final judgment in the FCA Action. The parties are available for status conference, if necessary, from 1:00 P.M. to 4:00 P.M. from Tuesday, March 5, 2019 through Friday, March 8, 2019.

February 26, 2019

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Joint Status Report was served by email on February 26, 2019, to:

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